

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE

| | | |
|---------------------------|---|----------------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| v. |) | No.: 3:02-CR-78-TAV-DCP-14 |
| |) | |
| MICHAEL SMITH, |) | |
| |) | |
| Defendant. |) | |

ORDER

This criminal case is before the Court on the defendant's counseled Motion for Imposition of a Reduced Sentence Pursuant to Section 404 of the First Step Act [Doc. 1296] and Amended Motion to Reduce Sentence Pursuant to 18 U.S.C. § 3582(c)(2) [Doc. 1298]. The government initially responded in opposition, arguing that defendant was ineligible for relief [Doc. 1304]. However, after the government's initial response, the Sixth Circuit decided *United States v. Boulding*, 960 F.3d 774 (6th Cir. 2020). Should the government wish to file a supplemental response in light of *Boulding*, the Court hereby **DIRECTS** the United States to file such response no later than **ten (10) days** from the date of this Order.

IT IS SO ORDERED.

s/ Thomas A. Varlan
UNITED STATES DISTRICT JUDGE